

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DIMITRI Z. STORM,

Plaintiff,

v.

NEWSOM, *et al.*,

Defendants.

No. 1:24-cv-00236-KES-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S MOTION FOR RESTRAINING
ORDER AND PRELIMINARY INJUNCTION

Doc. 11

Plaintiff Dimitri Z. Storm is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On August 22, 2024, Plaintiff's complaint was screened and found not to state cognizable claims. Doc. 9. The assigned magistrate judge granted Plaintiff leave to amend and he was directed to file an amended complaint within thirty days. *Id.* at 8. The magistrate judge subsequently granted Plaintiff an extension of time in which to file his amended complaint.¹ Doc. 14 at 3.

Concurrent with his original complaint, Plaintiff sought a restraining order and a preliminary injunction. Doc. 1. On August 23, 2024, the magistrate judge issued findings and

¹ Plaintiff did not comply with the initial deadline stated in the screening order, and the Court issued findings and recommendations recommending dismissal of the action. Doc. 12. After Plaintiff filed belated objections, the Court vacated the findings and recommendations recommending dismissal and granted a thirty-day extension of time in which to file a first amended complaint. Doc. 14. To date, Plaintiff has not yet filed an amended complaint and the original complaint remains the operative pleading. *See* docket.

1 recommendations recommending denial of Plaintiff's motion for a preliminary injunction and
2 restraining order. Doc. 11. The findings and recommendations were served on Plaintiff and
3 contained notice that any objections thereto were to be filed within fourteen (14) days after
4 service. *Id.* No objections have been filed, and the deadline to do so has expired.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
6 novo review of the case. Having carefully reviewed the file, the Court concludes that the
7 magistrate judge's findings and recommendations are supported by the record and by proper
8 analysis.

9 Accordingly, the Court **ORDERS**:

- 10 1. The findings and recommendations issued on August 23, 2024, (Doc. 11), are adopted in
11 full;
- 12 2. Plaintiff's motion for a restraining order and preliminary injunction, (Doc. 1), is denied;
13 and
- 14 3. The matter is referred back to the assigned magistrate judge for further proceedings
15 consistent with this order.

16
17
18 IT IS SO ORDERED.

19 Dated: December 27, 2024


UNITED STATES DISTRICT JUDGE